#406

BILL NO. Z-89-10-14

ZONING MAP ORDINANCE NO. Z-08-89

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. H-34

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M-3 (Heavy Industrial) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Lots 47, 48 and 49 in High View Park Addition

and the symbols of the City of Fort Wayne Zoning Map No. H-34, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Janet G. Bradbury
Councilmember

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McCaulay
J. TIMOTHY MCCAULAY, CITY ATTORNEY

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We City of Fort Wayne
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an M-2 District to a/an M-3 District the property described as follows:

Lots 47 - 48 and 49 High View Park Addition

(Legal Descrption) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

5544 Huguenard Road

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
T-G EXCAVATING INC.	5544 HUGUENARD RD.	Thomas M. Stockamp, Pres.

(If additional space is needed, use reverse side.)

Legal Description checked by _____.
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matte for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

(Name)	(Address & Zip Code)	(Telephone Number)
Wayne O'Brien	1 Main St / Room #830	427-1140

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/ 427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Read the first time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council ~~Conference Room 128~~, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock ____ M.,E.S.T.

DATED: 10-10-89. Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	9			
BRADBURY	✓			
BURNS	✓			
EDMONDS	✓			
GiaQUINTA	✓			
HENRY	✓			
LONG	✓			
REDD	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 11-14-89 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ (APPROPRIATION) (GENERAL) (~~SPECIAL~~) (ZONING MAP) ORDINANCE ~~RESOLUTION~~ NO. 2-08-89 on the 14th day of November, 19 89

ATTEST: (SEAL)

Sandra E. Kennedy — Charles S. Redd
SANDRA E. KENNEDY, CITY CLERK — PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 19 89, at the hour of 11:45 o'clock A. M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 19th day of November, 19 89, at the hour of 6:30 o'clock P. M.,E.S.T.

PAUL HELMKE, MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 10, 1989 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-89-10-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 16, 1989.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resoluton adopted at the meeting of the Fort Wayne City Plan Commission held October 23, 1989.

Certified and signed this
30 day of October 1989.

Robert Hutner
Secretary

FACT SHEET

Z-89-10-14
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE: Zoning Ordinance Amendment From M-2 to M-3)

APPROVAL DEADLINE:

REASON:

DETAILS

Specific Location and/or Address

5544 Huguenard Road

Reason for Project

Correction of annexation error.

Discussion (Including relationship to other Council actions)

16 October 1989 - Public Hearing

V.C. Seth, Director of Planning with C&ED stated that this application was essentially a corrective measure. He stated that when the property was annexed about 10 years ago it was brought in as M-2. The property in the County was classified as I-3, which is the City equivalent to M-3 not M-2. He stated they are now requesting the rezoning in order to correct the error.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

23 October 1989 - Business Meeting

Motion was made and seconded that the ordinance be returned to the Common Council with a DO PASS recommendation.

Of the six (6) members present, five (5) voted for the motion, one (1) did not vote. Motion carried.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Land Use Management - C&ED City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	[X] For [ ] Against Reason Against
Board or Commission Recommendation	By [X] For [ ] Against [ ] No Action Taken [ ] For with revisions to conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start Date 14 September 1989

Projected Completion or Occupancy Date 30 October 1989

Fact Sheet Prepared by Date 30 October 1989

Patricia Biancaniello

Reviewed by Date October 31, 1989

Reference or Case Number

#404

ORIGINAL ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment 2-89-10-14

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE 5544 Huguenard Road

EFFECT OF PASSAGE Property is presently zoned M-2 - General Industrial District. Property will become M-3 - Heavy Industrial District.

EFFECT OF NON-PASSAGE Property will remain zoned M-2 - General Industrial District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.)

BILL NO. Z-89-10-14

REPORT OF THE COMMITTEE ON REGULATIONS

JANET G. BRADBURY, CHAIRPERSON
DAVID C. LONG, VICE CHAIRMAN
EDMONDS, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ amending the City of Fort Wayne Zoning Map No. H-34

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) ~~(RESOLUTION)~~

DO PASS	DO NOT PASS	ABSTAIN	NO REC
Janet G. Bradbury			
Schmidt			
David C. Long			
Samuel J. Talarico			
Cletus R Edmonds			

DATED: 11-14-89.

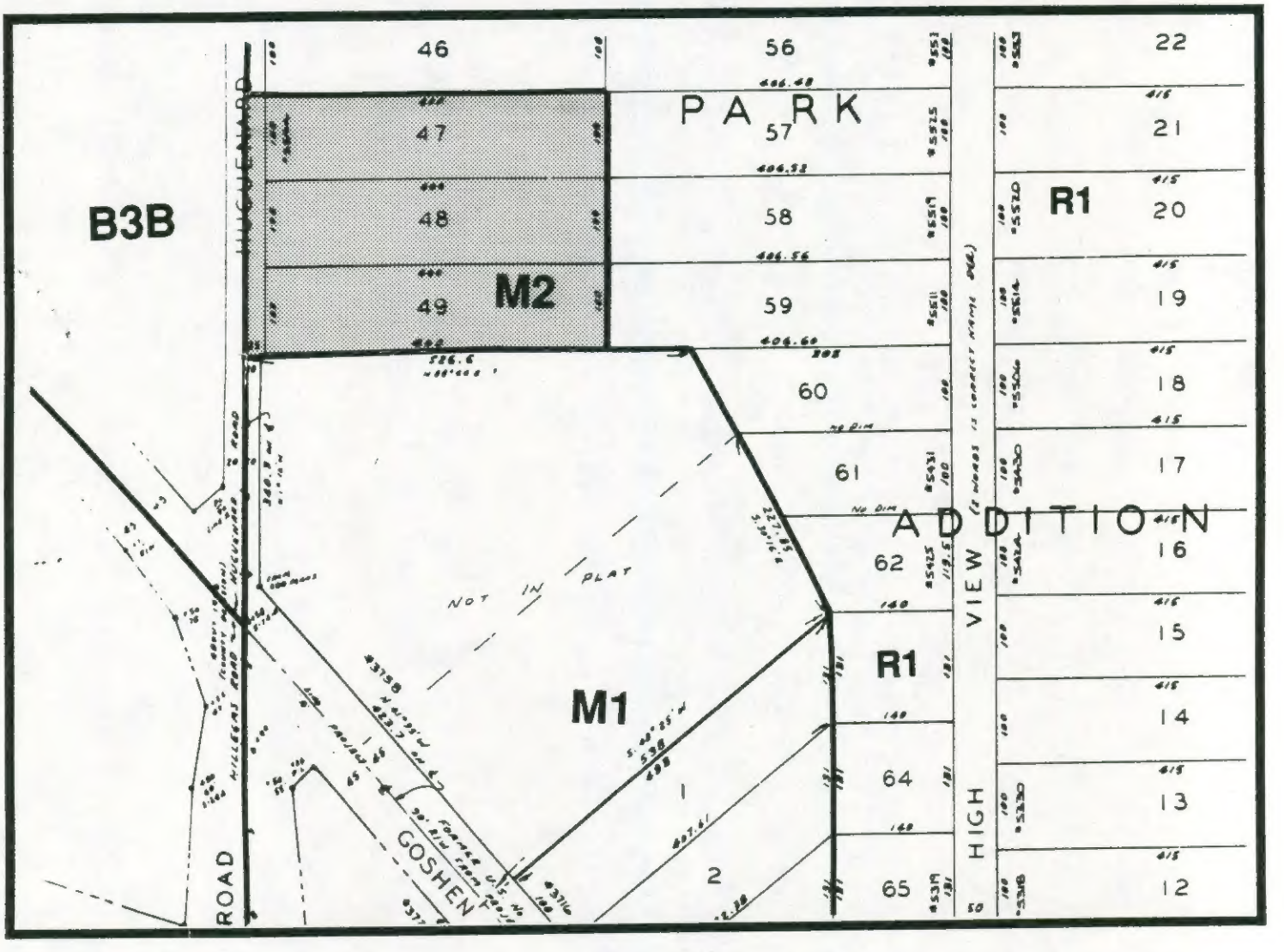
Sandra E. Kennedy
City Clerk

REZONING PETITION #406

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A **M-2** DISTRICT TO A **M-3** DISTRICT.

MAP NO. **H-34**

COUNCILMANIC DISTRICT NO. **3**



ZONING:

R1 RESIDENTIAL DISTRICT

M1 LIGHT INDUSTRY

M2 GENERAL INDUSTRY

B3B GENERAL BUSINESS "B"

LAND USE:

☐ *SINGLE FAMILY*

☐ *COMMERCIAL*

SCALE: 1"=200'

DATE: 9-19-89